

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 11/7/2024

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

BRANDON CHRISTOPHER JONES,

Judgment Debtor,

and

CHARLES SCHWAB & CO., INC.,

Third-Party Respondent.

22 CR 066 (MKV)

TURNOVER ORDER

WHEREAS the Court entered judgment against BRANDON CHRISTOPHER JONES on June 23, 2023 and ordered him to pay a \$100 special assessment, \$17,500 in restitution, plus a \$1,700 assessment pursuant to the Amy, Vicky, and Andy Child Pornography Victim Assistance Act (“AVAA”), and a \$5,000 additional special assessment pursuant to the Justice for Victims of Trafficking Act (“JTVA”). *See* Judgment (Dkt. 57);

WHEREAS, pursuant to 18 U.S.C. § 3612(f), statutory interest began to accrue on the unpaid restitution balance at the rate of 5.36% because interest was not waived or modified at sentencing, and Jones has made only one payment of \$52.70 toward his \$100 special assessment, leaving an outstanding balance of \$25,195;

WHEREAS, pursuant to 18 U.S.C. § 3613, upon entry of judgment, a lien arose on all of Jones’s property and rights to property notwithstanding any other federal law, and the United States may use any federal or state procedure to enforce the judgment;

WHEREAS, pursuant to Federal Rule of Civil Procedure 69(a)(1) and N.Y. CPLR § 5222, the United States issued and served a restraining notice on Charles Schwab & Co., Inc. (“CSC”) for substantial nonexempt property belonging or due to Jones;

WHEREAS CSC answered that it holds approximately \$72,531, subject to market fluctuation, in Jones's Roth Individual Retirement Account number ending in 0593, which exceeds the amount required to satisfy his outstanding criminal monetary impositions;

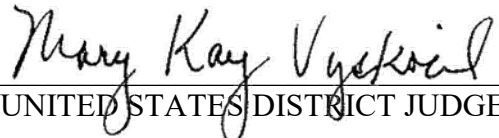
WHEREAS the United States served Jones with the restraining notice and its motion for turnover order, including the exclusive and limited exemptions available to criminal judgment debtors under 18 U.S.C. § 3613(a). *See* Certificate of Service (Dkt. 65);

WHEREAS the Court ordered Jones to respond to the motion by August 22, 2024, yet 60 days after that deadline passed, Jones has not filed any claim of exemption or opposition to the motion for turnover order, which has been pending since July 23, 2024;

IT IS HEREBY ORDERED that CSC shall liquidate securities as needed to pay to the Clerk of Court the sum of \$21,195.00 in satisfaction of Jones's judgment debt. Payment should be made by cashier's check or certified funds to "Clerk of Court" with "No. 22 CR 066" written on the face of the payment and mailed to:

United States District Court
500 Pearl Street, Room 120
New York, New York 10007
Attn: Cashier

Dated: New York, New York
November 7, 2024


UNITED STATES DISTRICT JUDGE